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OFFICE OF PETITIONS

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| In re Application of | : | |
| Martin Clive-Smith | : | |
| Application No. 10/533,987 | : | ON PETITION |
| Filed: May 4, 2005 | : | |
| Attorney Docket No. TILLBRK-001XX | : | |

This is a decision on the renewed petition under 37 CFR 1.137(b), filed on May 6, 2008 and supplemented on May 8, 2008, to revive the above-identified application.

The Office acknowledges petitioner's request filed on May 8, 2008, to disregard the filing of the Request for Continued Examination (RCE) under 37 CFR 1.114 filed on May 6, 2008 and to re-consider the amendment filed on November 2, 2007¹.

Finance records show that petitioner submitted a petition fee of \$255 on November 2, 2007. However, the fee for revival of an unintentionally abandoned application is \$770. Unfortunately, the \$255 fee cannot be adjusted. Therefore, that amount will be refunded back to petitioner's credit card and the correct petition fee of \$770 will be charged to the deposit account, as authorized.

In view of the above, the petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an acceptable amendment; (2) the petition fee of \$770; and (3) a proper statement of unintentional delay. Therefore, the petition is **GRANTED**.

This application file is being referred to Technology Center Art Unit 3612, for further processing.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3226.

Andrea Smith
Petitions Examiner
Office of Petitions

¹ The RCE fee of \$405 is unnecessary and will be credited to petitioner's credit card, in due course.